

United States Court of Appeals For the First Circuit

No. 14-1432

ALICE BAINTON,

Plaintiff, Appellant,

v.

VETERANS ADMINISTRATION MEDICAL CENTER,

Defendant, Appellee.

Before

Howard, Thompson and Barron,
Circuit Judges.

JUDGMENT

September 18, 2014

Plaintiff-appellant Alice Bainton alleges the wrongful death of her husband in a Veterans Administration hospital. Bainton made a claim under the Federal Tort Claims Act with the Veterans Administration, which was denied. As she concedes, she then filed suit in federal court a month later than the applicable six-month limitations period. 28 U.S.C. § 2401(b). The district court granted the government's motion to dismiss the suit as time-barred. This appeal followed.

In her appellate filings, Bainton urges that the suit is "important to every precious Veteran in the country and should be pursued by the Court of Appeals." The statute of limitations, however, does not authorize an exception on this basis, and this court does not have any freestanding power of investigation or oversight of the Veterans Administration.

The judgment is affirmed.

By the Court:

/s/ Margaret Carter, Clerk

cc:

McGaughey, Margaret D.

Osborn, John G.

Roth, Evan J.

Bainton, Alice